

**From:** Fred Kinder  
**To:** Microsoft ATR  
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**Subject:** Microsoft Antitrust Settlement

If this is the best settlement you can come up with, why on earth did you even bother to initiate the antitrust action in the first place.

From what I can see in the proposed settlement, there are virtually no competitive restrictions placed on Microsoft and certainly the proposed settlement contains no punitive action whatsoever.

Come on folks, Microsoft was found guilty and does not even have to pay court costs?

The settlement offer provides nothing to delay, let alone inhibit, the anti-competitive tactics that Microsoft has employed (and enjoyed) in the past. You have allowed yourselves to become so wrapped up in obscure technical details such as middle-ware, that you have completely lost sight of the objective of a settlement in a case where the defendant has been found guilty - that is, the objective of any settlement should have provided (1) some form of punishment for the guilty party and (2) a mechanism to assure all competitors and consumers that the transgressions of the guilty party will not be allowed to be repeated. The settlement offer provides nothing substantial relative to either of these objectives.

It seems to me that this entire process has been a massive waste of time and taxpayer money.

Just my opinion.

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